FILED: **F/6/08**

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

Case No. 08-CV-3821 (GEL)

v.

JOHN D. AGOGLIA, et al.,

STIPULATION AND ORDER

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the respective parties herein, that:

- The time for XL Specialty Insurance Company to reply, move or otherwise respond to the Defendants' Counterclaims in the above-captioned action is hereby extended to and including August 14, 2008;
- 2. A signed copy of this Stipulation transmitted by electronic means will be deemed an original and may be so-filed with the Court.

Dated: August 1, 2008

New York, New Yor

BOUNDAS, SKARZYNSKI, WALSH&

BLACK LL

By:

Ari R. Magedoff (AM-1117) One Battery Park Plaza, 32nd Floor New York, New York 10004

Tel: (212) 820-7700

Attorneys for Plaintiff and Counterclaim
Defendant XL Specialty Insurance Company

ZUCKERMAN SPAEDER LLP

Norman L. Eisen

Laura E. Neish (LN-0040)

1540 Broadway, Suite 1604

New York, New York 10036

Tel.: (212) 704-9600

Attorneys for Defendant and Counterclaim Plaintiff Tone N. Grant

GAGE SPENCER & FLEMING, LLP	FRIEDMAN & WITTENSTEIN,
T +	A Professional Corporation
By:	•
William Flerning (WF-0411)	By:
410 Park Avenue, 9th Floor	Ivan Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022
	Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	(2-2) / 2 2 7 7 2 7 2 7 2 7 2 7 2 7 2 7 2 7 2
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim
	Plaintiffs William M. Sexton and Gerald
	Sherer
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
By:	By:
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036	Tel: (212) 969-3000
Tel: (212) 832-8300	101. (212) 303-3000
161. (212) 032-0300	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim	Plaintiff Richard N. Outridge
Plaintiff Philip Silverman	Tunning Runara IV. Our tage
HARVEY FIGURERA FOO	WIRT COMMITTEE A MANAGEMENT
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
Ву:	Ву:
Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (GD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153
	Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim	
Plaintiff Joseph Murphy	Attorneys for Defendants and Counterclaim
	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H
	Lee, Ronald L. O'Kelley and Scott A. Schoen

GAGE SPENCER & FLEMING, LLP	FRIEDMAN & WITTENSTEIN,
	A Professional Corporation
By:	
William Fleming (WF-0411)	By: Wo Plue
410 Park Avenue, 9th Floor	Ivan-Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022
` ,	Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	` '
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim
	Plaintiffs William M. Sexton and Gerald Sherer
TIEV I ED EVIDAGAN I I D	DDOGWAYED DOGE IAD
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
By:	By:
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036	Tel: (212) 969-3000
Tel: (212) 832-8300	
	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim	Plaintiff Richard N. Outridge
Plaintiff Philip Silverman	
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
THACE TISIBERY, ESQ.	WEIL, COTSILLE & WHITTOES ELI
Ву:	By:
Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (GD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153
	Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim Plainti	
Joseph Murphy	Attorneys for Defendants and Counterclaim
	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H.
	Lee, Ronald L. O'Kelley and Scott A. Schoen

GAGE SPENCER & FLEMING, LLP	FRIEDMAN & WITTENSTEIN,
	A Professional Corporation
Ву:	
William Fleming (WF-0411)	By:
410 Park Avenue, 9th Floor	Ivan Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022 Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim Plaintiffs William M. Sexton and Gerald Sherer
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
By: Richard Cashman	Ву:
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036 Tel: (212) 832-8300	Tel: (212) 969-3000
	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim Plaintiff Philip Silverman	Plaintiff Richard N. Outridge
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
Ву:	Ву:
Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (GD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153 Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim	(-1-)
Plaintiff Joseph Murphy	Attorneys for Defendants and Counterclaim
w · t · t · v	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H
	Lee Ronald I O'Kalley and Scott A Schoon

GAGE SPENCER & FLEMING, LLP	FRIEDMAN & WITTENSTEIN,
	A Professional Corporation
By:	•
William Fleming (WF-0411)	By:
410 Park Avenue, 9 th Floor	Ivan Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022
	Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim Plaintiffs William M. Sexton and Gerald Sherer
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
_	By: Claire P. Hutckunst
By:	By: Claire F. Hutchinst
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036	Tel: (212) 969-3000
Tel: (212) 832-8300	4
	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim Plaintiff Philip Silverman	Plaintiff Richard N. Outridge
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
Ву:	Ву:
Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (GD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153
	Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim	
Plaintiff Joseph Murphy	Attorneys for Defendants and Counterclaim
	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H.
	Lee Ronald L. O'Kelley and Scott A. Schoen

GAGE SPENCER & FLEMING, LLP	FRIEDMAN & WITTENSTEIN,
	A Professional Corporation
By:	
William Fleming (WF-0411)	By:
410 Park Avenue, 9 th Floor	Ivan Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022
	Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	()
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim
3 g	Plaintiffs William M. Sexton and Gerald Sheren
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
By:	By:
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036	Tel: (212) 969-3000
Tel: (212) 832-8300	
	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim	Plaintiff Richard N. Outridge
Plaintiff Philip Silverman	
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
HARVET LISTIBETY, ESQ.	WEIL, GOISHAL & MANGES LEI
Ву:	Ву:
Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (GD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153
161. (212) 233-3333	Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim	101. (212) 310-0102
Plaintiff Joseph Murphy	Attorneys for Defendants and Counterclaim
I wining vosepii mui piny	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H.
	Lee, Ronald L. O'Kelley and Scott A. Schoen

By:	
William Fleming (WF-0411)	By:
410 Park Avenue, 9th Floor	Ivan Kline (IK-4591)
New York, New York 10022	600 Lexington Avenue
Tel: (212) 768-4900	New York, New York 10022
	Tel: (212) 750-8700
Attorneys for Defendant and Counterclaim	
Plaintiffs John D. Agoglia and Peter McCarthy	Attorneys for Defendants and Counterclaim
	Plaintiffs William M. Sexton and Gerald
	Sherer
HELLER EHRMAN LLP	PROSKAUER ROSE, LLP
By:	By:
Richard Cashman (RC-4769)	Claire P. Gutekunst (CG-0117)
Time Square Tower	1585 Broadway
7 Time Square	New York, New York 10036
New York, New York 10036	Tel: (212) 969-3000
Tel: (212) 832-8300	
	Attorneys for Defendant and Counterclaim
Attorneys for Defendant and Counterclaim	Plaintiff Richard N. Outridge
Plaintiff Philip Silverman	
HARVEY FISHBEIN, ESQ.	WEIL, GOTSHAL & MANGES LLP
Due	By: MAIN TO
By: Harvey Fishbein, Esq. (HF-1219)	Greg A. Danilow (DD-1621)
61 Broadway, Suite 1601	Michael F. Walsh (MW-8000)
New York, NY 10006	767 Fifth Avenue
Tel: (212) 233-9555	New York, New York 10153
	Tel: (212) 310-8182
Attorneys for Defendant and Counterclaim	` '
Plaintiff Joseph Murphy	Attorneys for Defendants and Counterclaim
	Plaintiffs Leo R. Breitman, Nathan Gantcher,
	David V. Harkins, Scott L. Jaeckel, Thomas H
	Lee, Ronald L. O'Kelley and Scott A. Schoen

KATTEN MUCHIN ROSENMAN LLP

By: Helen Kim (HK-8757)

2029 Century Park East

Suite 2600

Los Angeles, CA 90067

Tel: (310) 788-4400

Philip A. Nemecek (PN-3319)

575 Madison Ave.

New York, NY 10022

Tel: (212) 940-8834

Attorneys for Defendant and Counterclaim Plaintiff Dennis A. Klejna

IT SO ORDERED:

Gerard E. Lynch, United States District Judge